

House Bill 978 (AS PASSED HOUSE AND SENATE)

By: Representatives Hill of the 21st and Smyre of the 132nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 4 of Chapter 13 of Title 45 of the Official Code of Georgia Annotated,
2 relating to the Georgia Capitol Museum, so as to create the Capitol Art Standards
3 Commission; to provide for its membership and appointment; to provide for the terms of
4 members of the commission and the filling of vacancies; to provide for duties and
5 responsibilities; to provide for certain recommendations; to provide a definition; to provide
6 for the acceptance of certain funds; to provide a statement of legislative intent; to provide for
7 related matters; to repeal Code Section 50-16-5.2 of the Official Code of Georgia Annotated,
8 relating to the creation of the Georgia Art Policy Committee; to repeal conflicting laws; and
9 for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 4 of Chapter 13 of Title 45 of the Official Code of Georgia Annotated, relating to the
13 Georgia Capitol Museum, is amended by designating the existing matters within such article
14 as Part 1 and adding a new Part 2 to read as follows:

15 "Part 2

16 45-13-70.

17 (a) There is created the Capitol Art Standards Commission, which is assigned to the Office
18 of the Secretary of State for administrative purposes only, as prescribed in Code Section
19 50-4-3.

20 (b) The Capitol Art Standards Commission shall be comprised of 15 members. Three
21 members shall be appointed by the Governor, of whom one shall be designated as
22 chairperson. Three members shall be appointed by the Senate Committee on Assignments
23 and three members shall be appointed by the Speaker of the House of Representatives.

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One member each shall be appointed by the Georgia Historical Society, the Georgia Council for the Humanities, and the Georgia Council for the Arts. One member each shall be appointed by the Board of Regents of the University System of Georgia and the Georgia Foundation for Independent Colleges, each of whom shall be proficient in the history of the State of Georgia. Each of the appointed members shall serve two-year terms of office and shall be eligible to succeed themselves. In addition, the director of the Georgia Capitol Museum or his or her designee shall be a member of the commission. Vacancies in the positions of appointed members of the commission shall be filled for the remainder of the unexpired term of office by the original appointing authority.

(c) Members of the commission shall serve without compensation but members of the commission who are not state officials or employees shall receive the same expense allowance per day as that received by a member of the General Assembly for each day such member of the commission is in attendance at a meeting of such commission, plus either reimbursement for actual transportation costs while traveling by public carrier or the same mileage allowance for use of a personal car in connection with such attendance as members of the General Assembly receive. Members of the commission who are state officials or employees shall receive reimbursement for actual transportation costs in accordance with the policies of their respective agencies.

(d) Membership on the commission does not constitute a public office, and no member shall be disqualified from holding public office by reason of his or her membership.

(e) The commission, with the approval of the Governor, may employ such professional, technical, or clerical personnel as deemed necessary to carry out the purposes of this part.

45-13-71.

The Capitol Art Standards Commission shall have the following duties and responsibilities:

(1) To meet at such times and places as it shall determine necessary or convenient to perform its duties. The commission shall also meet on the call of the chairperson or the Governor;

(2) To maintain minutes of its meetings;

(3) To adopt rules and regulations for the transaction of its business;

(4) To organize itself as it deems appropriate to carry out its functions;

(5) To be responsible for developing policies and procedures for and to oversee the acquisition, installation, preservation, maintenance, display, and storage of all capitol artwork. As used in this part, the term 'capitol artwork' means visual art of museum quality owned by the State of Georgia that is displayed in or on the grounds of the capitol or is held for the purpose of future display to include, but not be limited to, portraits,

1 paintings, sculptures, and plaques. The Georgia Capitol Museum shall remain
2 responsible for the documentation, appraisal, control, handling, and conservation of the
3 present and future artwork in the capitol art collection;

4 (6) To establish a collection policy for all capitol artwork;

5 (7) To develop standards and procedures for determining whether to acquire new artwork
6 which shall include criteria for judging the relevance of the subject, the historical
7 significance to the State of Georgia, and the quality of the artwork produced and an
8 approval process for such acquisitions. No artwork shall be acquired or installed without
9 final approval of the commission;

10 (8) To develop a process for the selection, placement, installation, and rotation of
11 artwork in the capitol, in the capitol museum, and on the capitol grounds;

12 (9) To develop policies and procedures for outgoing loans from the capitol art collection
13 and for temporary displays of artwork in the capitol, in the capitol museum, and on the
14 capitol grounds;

15 (10) To develop deaccession policies and procedures for artwork in the capitol art
16 collection that should be removed based upon poor quality or lack of relevance or similar
17 factors; and

18 (11) To perform such other duties and responsibilities as required by law.

19 45-13-72.

20 The Capitol Art Standards Commission may recommend to the Governor and the General
21 Assembly changes in state statutes, policies, budgets, and standards relating to the capitol
22 art collection, with the objective of keeping the collection at the highest museum standards.

23 45-13-73.

24 The Capitol Art Standards Commission may accept federal funds granted by Congress or
25 executive order for the purposes of this part as well as gifts and donations from individuals,
26 private organizations, or foundations. The acceptance and use of federal funds shall not
27 commit state funds and shall not place an obligation upon the General Assembly to
28 continue the purposes for which the federal funds are made available.

29 45-13-74.

30 The General Assembly finds that this part constitutes a general law within the meaning of
31 Article III, Section VI, Paragraph IV(a) of the Constitution. The General Assembly intends
32 that there be no enactment of any bill or resolution proposing a special law with respect to
33 capitol artwork."

SECTION 2.

1
2 Code Section 50-16-5.2 of the Official Code of Georgia Annotated, relating to the creation
3 of the Georgia Art Policy Committee, is hereby repealed.

SECTION 3.

4
5 All laws and parts of laws in conflict with this Act are repealed.